

HOUSE JOINT RESOLUTION 1001

By Matlock

A RESOLUTION to request the U.S. Secretary of Transportation to revoke the September 7, 2011, acceptance letter regarding X-Lite Flared Terminal and X-Lite Tangent Terminal and to call for the removal of such guardrails from roads in the United States.

WHEREAS, protecting the safety of the traveling public on our nation's roads is among the highest priorities to be served by our transportation system; and

WHEREAS, in 2013, 32,719 fatalities occurred on the nation's roads for all vehicle types; and

WHEREAS, a guardrail is a safety barrier intended to shield a motorist who has left the roadway; and

WHEREAS, guardrails can make roads safer and lessen the severity of crashes; and

WHEREAS, guardrails should be installed in those cases where the consequences of striking a guardrail would be less severe than striking other objects next to the roadway; and

WHEREAS, guardrails cannot completely protect against every situation that occurs, especially when a driver leaves the roadway; and

WHEREAS, the exposed end of the guardrail should be designed to reduce the potential for the impalement of a vehicle; and

WHEREAS, fatalities involving passenger cars and light trucks striking a guardrail face and end represent 0.6 percent and 0.2 percent, respectively, of total highway fatalities in 2013; and

WHEREAS, the Federal Highway Administration has issued a letter of eligibility for federal-aid participation to Armorflex International Ltd. for Tangent and Flared Re-directive

Gating W-Beam Terminals known as the X-Lite Flared Terminal and X-Lite Tangent Terminal;
and

WHEREAS, X-Lite Flared Terminals and X-Lite Tangent Terminals have been installed
on roads throughout the United States; and

WHEREAS, Tennessee Department of Transportation staff have identified installations
of X-Lite terminals in which the guardrail penetrated the vehicle cabin when struck by a vehicle;
and

WHEREAS, the Tennessee Department of Transportation concluded that unclear
manufacturer instructions may cause installation deficiencies, which result in the X-Lite terminal
performing differently from the original tested conditions; and

WHEREAS, the Tennessee Department of Transportation has identified in-service
performance of the X-Lite terminal that is believed to provide less than adequate protection of
motorists on Tennessee's network of roads; and

WHEREAS, the observed in-service performance shows that the impact head of the X-
Lite terminal unit may separate horizontally from the adjacent W-beam guardrail and slide past
this adjacent section of W-beam, which then can, and has, penetrated a vehicle cabin; and

WHEREAS, the Tennessee Department of Transportation has made the decision to
remove installed X-Lite terminals from the state highway system in Tennessee; and

WHEREAS, Tennessee Department of Transportation Commissioner John C. Schroer in
a letter dated April 4, 2017, advised the Federal Highway Administration of his inability to
receive satisfactory installation information from the manufacturer and that in-service
performance of this device is resulting in unacceptable safety levels for the Department; and

WHEREAS, in the Federal Highway Administration's September 7, 2011, acceptance
letter regarding the X-Lite Terminal, under the standard provisions of acceptance, "the
manufacturer is expected to supply potential users with sufficient information on design and
installation requirements to ensure proper performance and that if in-service performance
reveals unacceptable safety problems that the Federal Highway Administration reserves its
rights to modify or revoke acceptance"; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED TENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that the United States Secretary of Transportation should call for the revocation of the September 7, 2011, acceptance letter regarding the X-Lite Flared Terminal and X-Lite Tangent Terminal.

BE IT FURTHER RESOLVED, that the United States Secretary of Transportation should call for the removal of all X-Lite Flared Terminals and X-Lite Tangent Terminals, regardless of their manufacturer, from roads in the United States due to in-service performance of these devices resulting in unacceptable safety levels.

BE IT FURTHER RESOLVED, that certified copies of this resolution be transmitted to all state departments of transportation, the entire Tennessee congressional delegation, the National Association of County Engineers, and the American Public Works Association.